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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/746,829	12/22/2000	Daryl Carvis Cromer	RPS 2000 0054	8922
47052	7590	07/29/2005	EXAMINER	
SAWYER LAW GROUP LLP PO BOX 51418 PALO ALTO, CA 94303			LAFORGIA, CHRISTIAN A	
			ART UNIT	PAPER NUMBER
			2131	

DATE MAILED: 07/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/746,829

Applicant(s)

CROMER ET AL.

Examiner

Christian La Forgia

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 April 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-36 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-36 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

DETAILED ACTION

1. The amendment filed on 25 April 2005 has been noted and made of record.
2. Claims 1-36 have been presented for examination.
3. Claims 4, 5, 16, 17, 28, and 29 have been cancelled as per Applicant's request.

Response to Arguments

4. Applicant's arguments with respect to claims 1-36 have been considered but are moot in view of the new ground(s) of rejection.
5. See further rejections that follow.

Claim Rejections - 35 USC § 103

6. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
7. Claims 1-3, 13-15, and 25-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,499,294 to Friedman, hereinafter Friedman, in view of U.S. Patent No. 5,898,779 to Squilla et al., hereinafter Squilla, and further in view of U.S. Patent Application Publication No. 2002/0041329 to Steinberg, hereinafter Steinberg.
8. As per claims 1, 13, and 25, Friedman discloses enabling an image to be authenticated the method comprising the steps of:
 - a) providing a digital signature associated with a device (column 5, lines 55-65);
 - b) allowing a user to capture the image utilizing the device (column 5, line 60); and
 - c) associating the digital signature with the captured image wherein the digital signature is capable of being utilized to authenticate the captured image (column 6, lines 5-7).

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9. Friedman does not disclose that user related information is associated to the digital signature. Friedman only associates a digital image with a particular camera. It would be advantageous if the user who took the digital image were also associated with the digital image.

10. Squilla discloses a photographer's information may be included for subsequent authentication along with the image and that the photographer's information is stored within the image hash in the digital signature (column 5, line 60 to column 6, line 5).

11. It would have been obvious to one of ordinary skill in the art at the time the invention was made to employ the teaching of Squilla within the system of Friedman because it would allow the system to be able to authenticate a digital image with both the camera that was used to take the image and the person who took the image.

12. Squilla teaches entering the user information to associate the user's identity with the captured image. Friedman and Squilla do not teach wherein the information is entered utilizing a radio frequency interface.

13. Steinberg discloses wherein the information is entered utilizing a radio frequency interface (Figures 1 [block 16], 7 [block 16], page 2, paragraphs [0033], [0038]):

14. It would have been obvious to one of ordinary skill in the art at the time the invention was made to enter the information by using a radio frequency interface, since Steinberg states at page 2, paragraph [0037] that such a modification would allow the user to associate personal information with the camera. This is further supported that at the time the invention was made it was well-known practice to enter user information to a portable device using a wireless communication link as seen by claim 11 of U.S. Patent Application Publication No.

2002/0073000.

15. Regarding claims 2, 14, and 26, Friedman teaches wherein the device is capable of electronically transmitting images (column 8, lines 30-33).

16. With regards to claims 3, 15, and 27, Friedman teaches wherein the device comprises a digital camera (column 8, line 30).

17. Claims 6-12, 18-24, and 30-36 rejected under 35 U.S.C. 103(a) as being unpatentable over Friedman in view of Squilla in view of Steinberg as applied above, and further in view of U.S. Patent No. 5,862,217 to Steinberg et al., hereinafter Steinberg2.

18. Regarding claims 6, 18, and 30, Steinberg teaches the radio frequency interface (Figures 1 [block 16], 7 [block 16], page 2, paragraphs [0033], [0038]). Friedman discloses the use of a public/private key pair associated with a digital camera.

19. Friedman, Squilla, and Steinberg do not disclose the use of a public/private key pair associated with the user.

20. Steinberg2 teaches the use of a public/private key pair associated with the user (column 4, lines 3-18). Steinberg2 discloses the use of a public/private key pair because of its proven ability to securely encrypt/decrypt confidential data.

21. It would have been obvious to one of ordinary skill in the art at the time the invention was made to employ the teachings of Steinberg2 with the combined system of Friedman, Squilla, and Steinberg because it would provide a provable manner in which only a user who possessed the private key could have signed the digital image.

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22. Regarding claims 7, 19, and 31, Steinberg2 teaches wherein step c) further comprises:

c1) utilizing a smart card to associate the user's identity with the captured image (column 2, lines 57-58). The combination of Steinberg2 with the combined system of Friedman, Squilla, and Steinberg is the same as listed in the rejection of claims 6, 18, and 30.

23. With regards to claims 8, 20, and 32, Steinberg2 teaches wherein the smart card includes a private key and a related public key wherein the private key and the related public key are associated with the user (column 4, lines 3-18).

24. With regards to claims 9, 10, 21, 22, 33, and 34, Friedman teaches associating the private key with the captured image (column 5, lines 55-58).

25. Concerning claims 11, 12, 23, 24, 35, and 36, Friedman discloses the steps of:

1) storing the captured image and the digital signature in a file, wherein the file is located within a memory of the digital camera; 2) hashing the file thereby producing a digest; and 3) associating the digest with the private key (column 5, lines 55-65).

Conclusion

26. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

27. The following patents are cited to further show the state of the art with respect to digital cameras with security features, such as:

United States Patent No. 6,891,567 to Steinberg, which is cited to show a digital camera equipped with a radio antenna for receiving input signals.

United States Patent No. 6,433,818 to Steinberg et al., which is cited to show a digital camera with biometric security.

28. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

29. A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

30. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christian La Forgia whose telephone number is (571) 272-3792. The examiner can normally be reached on Monday thru Thursday 7-5.


31. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on (571) 272-3795. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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32. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Christian LaForgia
Patent Examiner
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clf


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